

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America
v.

JONATHAN MCMILLIN

Defendant(s)

Case No.

1:20-mj-0920

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 14, 2020 in the county of Hendricks in the
Southern District of Indiana, the defendant(s) violated:*Code Section**Offense Description*

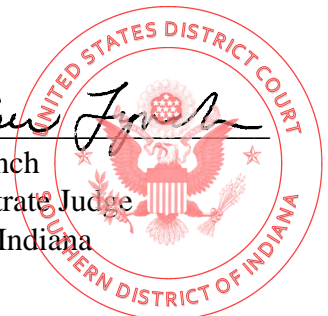
18 U.S.C. 922(g)(1)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet./s/ Todd Bevington*Complainant's signature*Todd Bevington, ATF Special Agent*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by
telephone *(reliable electronic means)*10/15/2020

Date: _____

City and state: Indianapolis, IndianaDebra McVicker Lynch
Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

1. I, Todd J. Bevington, am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) and have been so employed since December of 2013. Prior to ATF, I was a police officer and detective with the Richmond, Virginia, Police Department for over thirteen years. I graduated from the Federal Law Enforcement Training Center and am currently assigned to the ATF-Indianapolis Field Office. I have participated in numerous state and federal firearms and narcotics investigations.

2. This affidavit is submitted in support of a criminal complaint charging: Shawkie MASSEY, Royeon SPELLS and Jonathan McMILLIN with Possession of a Firearm by a Previously Convicted Felon. The information contained in the below numbered paragraphs is either personally known to your Affiant or told to your Affiant by other law enforcement officers.

Facts Supporting Probable Cause

3. In January 2020, other ATF investigators and I began investigating a group, self-proclaimed as the “30boyz,” which group was involved in multiple shootings as well as firearms and narcotics trafficking in the Indianapolis, Indiana metropolitan area. Investigators have identified several members of the “30boyz”, to include: Shawkie MASSEY, Royeon SPELLS, Jonathan McMILLIN. Through that investigation, three residences located in the Southern District of Indiana were identified as being utilized by MASSEY, SPELLS and McMILLIN in the furtherance of their criminal activities, to include: 98 Sycamore Street, Brownsburg, Indiana (a residence utilized by MASSEY), 3305 West 31st Street #D, Indianapolis, Indiana (SPELLS’ primary residence) and 9515 Rundell Drive, Avon, Indiana (McMILLIN’s primary residence). As such, search warrants were obtained for these locations, and on the morning of October 14, 2020, search warrants were executed by federal agents and members of the Indianapolis Metropolitan Police Department (IMPD).

Search of 98 Sycamore Street

4. Upon entering 98 Sycamore Street, agents only encountered MASSEY’s mother and sister. While searching the residence, agents recovered two pistols and learned that MASSEY was actually inside the residence of 187 Sycamore Street.

Arrest of Shawkie MASSEY

5. Agents knocked on the front door of the 187 Sycamore Street, and MASSEY answered the door. MASSEY stepped outside and a female (later identified as MASSEY's girlfriend/leaseholder of residence) came to the door. Agents asked the female if they could step inside the residence to speak with her, and she agreed. Agents explained to the female that MASSEY was the target of an ongoing investigation and MASSEY was known to carry a firearm; the female then gave agents verbal consent to search the residence for any other person(s) and/or firearms. While searching a bedroom of the residence, agents located a loaded Glock, Model 30, .45 caliber pistol under the mattress.

6. While agents were searching the residence, ATF Special Agent (SA) Andrew Sullivan asked MASSEY if MASSEY would talk to him in private inside SA Sullivan's vehicle that was parked in front of the residence; MASSEY agreed. Prior to talking with MASSEY, SA Sullivan explained to MASSEY that he was not under arrest. Upon learning that other agents had located a loaded pistol inside the residence, SA Sullivan questioned MASSEY about the pistol. MASSEY stated he purchased the pistol approximately two months ago for his own personal safety for about \$600.00-650.00. MASSEY advised that he is the only one that had possessed the pistol since he purchased it. MASSEY denied ever shooting the pistol but stated he is a serious violent felon from a previous battery and gun case, further stating he had been to prison for possessing a firearm.. MASSEY stated the pistol was loaded and he last handled the pistol the previous night.



-The photograph on the left depicts the Glock pistol recovered by agents on October 14, 2020. The photograph on the right depicting a Glock pistol was posted to MASSEY's Instagram account on August 28, 2020. I believe this to be the same firearm based on upon MASSEY's statements to agents that MASSEY had possessed the firearm for approximately two months.

7. Based upon my review of MASSEY's criminal history, I know MASSEY has sustained felony convictions in Indiana, to include: unlawful possession of a firearm by a serious violent in 2018, under cause #49G20-1705-F4-019353 and battery resulting in serious bodily injury in 2016, under cause #49G04-1510-F5-036726.

Search of 3305 West 31st Street #D

8. Upon entering 3305 West 31st Street #D (hereinafter the 31st Street residence), agents observed SPELLS exiting the rear bedroom of the residence; no other individuals were located inside the bedroom. Agents were aware that SPELLS was on court authorized "house arrest" at the 31st Street residence. Upon searching the residence, agents located a loaded Springfield, Model XD-M, 9mm pistol under the mattress in the bedroom where SPELLS was observed exiting. Agents also located SPELLS' Marion County Community Corrections paperwork, SPELLS' Indiana issued identification card in the bedroom and a cellular telephone sitting on the bed.

9. SPELLS was advised of his *Miranda* rights, which he then waived. In the interview that followed, SPELLS acknowledged ownership of the phone recovered in close proximity to the firearm however SPELLS denied ownership of the firearm.



-The top photographs depicted above were taken from a video posted to SPELLS' Instagram account on October 6, 2020. During this video, SPELLS was standing outside the front door of 31st Street residence in possession of a Springfield pistol. The bottom photograph above depicts the Springfield pistol recovered by agents on October 14, 2020. I believe this to be the same firearm.

10. Based on my review of SPELLS' criminal history, I know SPELLS has sustained felony convictions in Indiana, to include: possession of a narcotic drug in 2020, under cause #49G09-2008-

F6-024544; resisting law enforcement in 2020, under cause #49G09-2001-F6-004293 and escape in 2020, under cause #49G09-2001-F6-000639.

Search of 9515 Rundell Drive

11. Upon entering 9515 Rundell Drive (hereinafter the Rundell Drive residence), agents observed McMILLIN exiting his bedroom. McMILLIN was advised of his *Miranda* rights, which he then waived. McMILLIN stated he had resided at the Rundell Drive residence for the past six to seven months. McMILLIN stated he was released from prison approximately ten years ago and was incarcerated for offenses involving firearms and possession of cocaine. Upon searching the residence, agents located the following: a loaded Glock, Model 19, 9mm pistol and approximately \$6500 under McMILLIN's mattress, a digital scale with suspected heroin residue from McMILLIN's dresser drawer, approximately fifteen oxycodone pills from McMILLIN's closet, a drug 'press' with suspected heroin residue from a kitchen cabinet and plastic bags with suspected heroin residue from the kitchen trash can. McMILLIN stated the pistol at the residence belonged to his brother but McMILLIN admitted to handling the pistol, despite being a convicted felon. McMILLIN further stated he possessed the firearm for protection and had been selling approximately twenty grams of heroin per week for the past several months. McMILLIN stated he believed approximately \$1200 of the \$6500 recovered by agents was proceeds from his heroin trafficking activities. Agents showed McMILLIN the photograph depicted below; this photograph posted on social media showed McMILLIN in a vehicle in possession of a Glock pistol. McMILLIN acknowledged this was him in possession of the same pistol agents recovered under his mattress.



12. Based on my review of McMILLIN's criminal history, I know McMILLIN has sustained felony convictions in Indiana, to include: possession of a narcotic drug in 2013 under cause #49G02-0903-FD-035192 and criminal recklessness resulting in serious bodily injury in 2013 under cause #49G02-0901-FC-009896.

13. As to the firearms referenced in this Affidavit, an interstate nexus expert with ATF reviewed the firearms' characteristics, and determined that the firearms were not manufactured in the state of Indiana. By virtue of their presence in the State of Indiana, therefore, the firearms had to have been transported or shipped in interstate or foreign commerce.

Conclusion

14. Based on the facts set forth in this affidavit, your Affiant submits that probable cause exists for the arrests of Shawkie MASSEY, Royeon SPELLS, and Jonathan McMILLIN, as described above.

/s/ Todd Bevington
Todd Bevington, Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by telephone.

10/15/2020

Debra McVicker Lynch
Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana

